

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

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4 United Association of Journeymen and
5 Apprentices of the Plumbing & Pipe Fitting
6 Industry of the United States and Canada,
7 Local 525, Las Vegas, Nevada AFL-CIO,

8 Plaintiff

9 v.

10 Bombard Mechanical, LLC,

11 Defendant

Case No. 2:19-cv-00431-JAD-CWH

**Order Vacating Order Compelling
Arbitration and Setting Aside Judgment**

[ECF Nos. 11, 12]

12 This case began with the filing of a petition to compel arbitration, docketed as a motion
13 to compel arbitration.¹ Although defendant Bombard Mechanical, LLC responded, that response
14 was docketed as an “answer” instead of a response to a motion, making it appear to the court that
15 the motion to compel arbitration was unopposed.² So, the court granted the motion to compel
16 arbitration as unopposed and entered judgment accordingly.³ On deeper examination of the
17 items on the docket, however, it appears that Bombard Mechanical’s answer should have
18 precluded the court from entering judgment in favor of the union. Accordingly, the court
19 recognizes its error and apologizes for the confusion. The court promptly vacates the order
20 granting the motion to compel arbitration and the resulting judgment and directs the union to file
21 a proper motion with a memorandum of points and authorities if it wants the court to rule on its

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¹ ECF No. 1.

23 _____
² ECF No. 9.

³ ECF Nos. 11, 12.

1 request to compel arbitration. If the union files such a motion, the response and reply deadlines
2 in Local Rule 7-2 will apply. Accordingly,

3 IT IS HEREBY ORDERED that the Clerk of Court is directed to **REOPEN this case,**
4 **VACATE** the order granting the motion to compel arbitration [ECF No. 11], **SET ASIDE the**
5 **resulting judgment [ECF No. 12], and REVISE the docket entry at ECF No. 1 to reflect the**
6 **document's actual title: Petition to Compel Arbitration; that petition should not be**
7 **gaveled.**

8 IT IS FURTHER ORDERED that **petitioner has 60 days to file a proper motion to**
9 **compel arbitration.**

10 Dated: May 21, 2019

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13 U.S. District Judge Jennifer A. Dorsey
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